

AMENDED IN SENATE APRIL 9, 2012

SENATE BILL

No. 1553

Introduced by Senator Lowenthal

February 24, 2012

An act to add and repeal Section 84215.5 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 1553, as amended, Lowenthal. Political Reform Act of 1974: campaign statements: electronic filing.

(1) The Political Reform ~~act~~ *Act* of 1974 requires elected officers, candidates for elective office, and campaign committees to file campaign statements reporting contributions and expenditures for specified reporting periods. Under the act, city elected officers, candidates for city office, their controlled committees, committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in one city, and city general purpose committees are required to file campaign statements with the clerk of the city.

This bill would create a pilot program for the 2013 through 2014 reporting periods that authorizes the City of Long Beach to permit any person who files a campaign statement with the city clerk to file *online or* electronically, *consistent with specified requirements*. In addition, the bill would require the City of Long Beach, if it chooses to participate in the pilot program, to prepare a report evaluating the program under specified criteria, and would further require the Legislative Analyst's Office to prepare a report evaluating the program.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for a pilot program in the City of Long Beach.

(3) The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 84215.5 is added to the Government
2 Code, to read:

3 84215.5. (a) ~~(1)~~—The City of Long Beach may permit any
4 person who files a campaign statement with the city clerk pursuant
5 to subdivision (d) of Section 84215 to file ~~electronically~~. *online*
6 *or electronically, consistent with all of the following:*

7 ~~(2) If the City of Long Beach authorizes electronic filing~~
8 ~~pursuant to subdivision (a), the city clerk shall use a form, and~~
9 ~~follow procedures, prescribed by the Commission.~~

10 *(1) The online or electronic filing system shall accept a filing*
11 *only in the standardized record format that is developed by the*
12 *Secretary of State pursuant to paragraph (2) of subdivision (a) of*
13 *Section 84602 and that is compatible with the Secretary of State's*
14 *system for receiving an online or electronic filing.*

15 *(2) The online or electronic filing system shall ensure the*
16 *integrity of the data transmitted and shall include safeguards*
17 *against efforts to tamper with, manipulate, alter, or subvert the*
18 *data.*

19 *(3) The date of filing for a statement, report, or other document*
20 *that is filed online or electronically shall be the day that it is*
21 *received by the city clerk.*

22 *(4) The city clerk shall make all the data filed available on the*
23 *Internet in an easily understood format that provides the greatest*
24 *public access. The data shall be made available free of charge*
25 *and as soon as possible after receipt. The data made available on*
26 *the Internet shall not contain the street name and building number*
27 *of the persons or entity representatives listed on the electronically*
28 *filed forms or any bank account number required to be disclosed*
29 *by the filer.*

1 (5) *The online or electronic filing system shall include a*
2 *procedure for filers to comply with the requirement that they sign*
3 *statements and reports under penalty of perjury pursuant to Section*
4 *81004.*

5 (6) *The city clerk shall enable filers to submit filings free of*
6 *charge.*

7 (7) *The city clerk shall maintain, for a period of 10 years*
8 *commencing from the date filed, a secured, official version of each*
9 *online or electronic statement, report, or other document filed*
10 *pursuant to this section, which shall serve as the official version*
11 *of that record for purpose of audits and any other legal purpose.*

12 (8) *Notwithstanding any other provision of law, any statement,*
13 *report, or other document filed online or electronically pursuant*
14 *to this section shall not be required to be filed with the city clerk*
15 *in paper format.*

16 (b) If the City of Long Beach chooses to participate, the pilot
17 program created pursuant to this section shall commence on or
18 after January 1, 2013, and shall be completed by January 31, 2015.
19 The pilot program shall include all reporting periods commencing
20 January 1, 2013, and ending December 31, 2014.

21 (c) (1) If the City of Long Beach chooses to participate in the
22 pilot program created pursuant to this section, the city shall submit
23 to the Commission, by July 1, 2015, a report on the pilot program
24 that shall include all of the following:

25 (A) A listing and estimate of associated operational efficiencies
26 and related savings.

27 (B) A listing and estimate of associated costs from implementing
28 and operating the pilot program.

29 (C) A listing of safety, security, or privacy issues encountered
30 and an explanation of the manner in which those issues were
31 addressed.

32 (D) Available information relating to feedback from electronic
33 filing participants.

34 (E) Any other relevant information on the implementation of
35 the pilot program.

36 (2) The Commission shall transmit the report received pursuant
37 to paragraph (1), as well as any comments on the report, to the
38 Legislative Analyst's Office by August 15, 2015. The Legislative
39 Analyst's Office shall provide a report to the Legislature evaluating
40 the pilot program by February 1, 2016.

1 (3) The Commission, in consultation with the Legislative
2 Analyst's Office, may develop additional criteria for the report to
3 be submitted by the City of Long Beach pursuant to paragraph (1).

4 (d) This section shall remain in effect only until January 1, 2017,
5 and as of that date is repealed, unless a later enacted statute, that
6 is enacted before January 1, 2017, deletes or extends that date.

7 SEC. 2. The Legislature finds and declares that a special law
8 is necessary and that a general law cannot be made applicable
9 within the meaning of Section 16 of Article IV of the California
10 Constitution because of the need to create a pilot program in the
11 City of Long Beach to test the benefits of electronic filing of
12 campaign statements in order to develop a practical model that
13 will assist other local agencies in implementing their own electronic
14 filing procedures in the future.

15 SEC. 3. The Legislature finds and declares that this bill furthers
16 the purposes of the Political Reform Act of 1974 within the
17 meaning of subdivision (a) of Section 81012 of the Government
18 Code.